

REMARKS

At the outset it is noted that claim 7 has been rewritten in independent form to recite all of the limitations of canceled claim 1, while claim 18 has been rewritten in independent form to recite all of the limitations of canceled claim 13. Each of claims 7 and 18 recites that the resilient tube comprises "a multiplicity of annular transverse cuts extending from an inner peripheral surface of said tube toward, but not reaching, an outer peripheral surface of said tube". This feature is not shown in any of the prior art references cited applied by the Examiner.

In ¶ 3 of the action, claims 1, 2, 5, 6 and 11 stand rejected as being anticipated by Overbruggen et al. (US 4,334,640). Claim 7 was not rejected as being anticipated by Overbruggen. Since claim 1 has been canceled and claims 2, 5, 6 and 11 now depend from claim 7, the Applicant respectfully submits that this ground of rejection is now moot.

In ¶ 4, claims 1, 2 and 5-9 stand rejected as being anticipated by Kluge et al. (US 3,808,350). The Applicant traverses this ground of rejection for the following reasons.

In support of the rejection of claim 7, the Examiner asserts that Kluge discloses transverse cuts 16 within a tube

from an inner surface of the tube. This is mistaken in several respects. Items 16 are passages or bores (see column 3, lines 65 and 66) in a socket 5. They are not transverse cuts, but rather are bores having a circular cross section that extend transversely. A circular bore is not a transverse cut. Second, there is no disclosure in Kluge that socket 5 is a resilient tube, as required by claim 7. Third, claim 7 requires that the transverse cuts do not reach an outer peripheral surface of the tube. As clearly seen in Figures 1 and 2 of Kluge, the bores 16 extend all the way through the socket wall 5, from the inner peripheral surface to the outer peripheral surface. For these reasons, the Applicant respectfully submits that Kluge does not anticipate claim 7.

In ¶ 5, claims 3, 4 and 10 stand rejected as being obvious over Fischer (US 3,983,310). The Applicant submits these claims are allowable because they now depend from claim 7. The Examiner does not assert that Fischer discloses a resilient tube having transverse cuts that extend from the inner peripheral surface, but not reaching the outer peripheral surface. Accordingly, it is believed that claims 3, 4 and 10 are not unpatentable over Fischer alone or even over Kluge in view of Fischer (which ground of rejection does not appear in the office action).

In ¶ 6, claims 13-20 stand rejected as being obvious over Kane (US 6,212,984) in view of Satoh et al. (US 6,382,100). The Applicant traverses this ground of rejection for the following reasons.

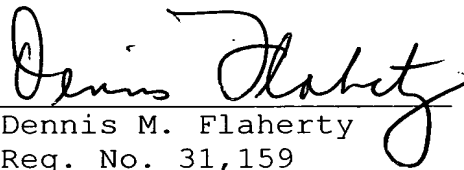
On page 4 of the Final Rejection, the Examiner asserts that Kane discloses a resilient tube 58. In the next paragraph, the Examiner asserts that Satoh shows transverse cut means in Figure 2 thereof. On page 6, in rebuttal to Applicant's arguments, the Examiner also asserts that Kane shows transverse cuts that do not reach an outer peripheral surface of the tube of Kane, citing cutting edge 61 seen in Figure 4 of Kane. In Satoh, the air outlet openings 33 pass through the wall of roller 3, from the inner to the outer peripheral surface, as shown in Figure 2 of Satoh. In Kane, the structure 61 is a cutting edge, not a cut. Moreover, the cutting edge 61 extends from the outer peripheral surface, and does not extend from an inner peripheral surface toward, but not reaching, an outer peripheral surface of the tube. Thus, neither Kane nor Satoh discloses the structure explicitly recited in Applicant's claim 18.

To establish a *prima facie* case of obviousness, three basic criteria must be met, as set forth at MPEP 706.02(j). First, there must be some suggestion or motivation,

either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the combined prior art references must teach or suggest all the claim limitations. In view of the absence in Kane and Satoh of transverse cuts having the structure recited in claim 18, the Applicant respectfully submits that a *prima facie* case of obviousness has not been made and the rejection based on Kane and Satoh should be withdrawn.

In view of the foregoing, the Applicant submits that this application is now in condition for allowance. Reconsideration of the application and allowance of claims 2-11 and 14-21 are hereby requested.

Respectfully submitted,



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CERTIFICATE OF MAILING

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October 3, 2006

Date


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